

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

EFRAIN NICHOLAS CIRINEO, #41549-054,

Petitioner,

v.

CIVIL ACTION NO. 2:06cv279

VANESSA ADAMS, Warden,
FCC Petersburg,

Respondent.

FINAL ORDER

This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2241. In the petition, Petitioner challenges the accuracy of the calculation of his good conduct time ("GCT") credits as computed by the Federal Bureau of Prisons ("BOP").

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), Rule 72 of the Federal Rules of Civil Procedure, and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation. The report of the Magistrate Judge was filed on April 12, 2007, recommending dismissal of the petition. By copy of the report, each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the Magistrate Judge's Report and Recommendation and the time for filing same has expired.

The Court does hereby ADOPT AND APPROVE the findings and recommendations set forth in the report of the United States Magistrate Judge filed on April 12, 2007 and it is, therefore, ORDERED that the petition be DENIED AND DISMISSED WITH PREJUDICE as the Court has determined that the BOP reasonably interpreted the statute in awarding GCT credits based on the actual time served as opposed to the length of sentenced imposed.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty (60) days from the date of entry of such judgment.

The Clerk shall mail a copy of this order to the petitioner and to counsel of record for respondent.

/s/ Jerome B. Friedman
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

May 23, 2007